

JANUARY 18, 2011

A Regular Meeting of Mayor and Council was convened at 8:10 p.m. on January 18, 2011 in Council Chambers of Borough Hall with Mayor Dempsey presiding.

Mayor Dempsey stated that this meeting is being held in accordance with the Open Public Meetings Act of 1975 and that notice was given to the Coast Star and the Asbury Park Press on December 21, 2010.

Mayor Dempsey welcomed the audience and invited them to join in a moment of silent prayer and a salute to the Flag.

ROLL CALL: Present: Council Members Connolly, Donovan, Grasso, Lee, Lucas, and McCarthy

Absent: None

Also present was Borough Attorney James Kinneally and Borough Administrator/CFO Joseph DeIorio

SWEARING IN CEREMONY:

COUNCIL: Owen McCarthy - Council Member – Three Year Term. Council Member McCarthy was sworn into office by Mayor George Dempsey

Council's Action regarding the 2011 Council President.

Council Member Donovan made a motion to nominate Council Member Jeff Lee to the position of 2011 Council President, seconded by Council Member McCarthy. Roll Call was taken and the motion carried unanimously.

The Mayor announced the following appointments for approval

Appointment of the Council Committees. The first Council Member's name will be the Committee Chairperson.

Administration & Finance	Connolly	McCarthy	Grasso
Public Safety & Recycling	Lucas	Donovan	Connolly
Public Works	Donovan	Lee	Lucas
Public Property & Parks	McCarthy	Connolly	Lee
Beach	Lee	Grasso	Donovan
Law and Code	Grasso	Lucas	McCarthy
Personnel Committee	Lucas	Connolly	Chairperson of affected Committee

Council Member Lucas made a motion to approve the committee assignments, seconded by Council Member Lee. Roll Call was taken and the motion carried unanimously.

SUBCOMMITTEES & COMMISSIONS

The Mayor presented the following appointments for approval:

1. Board of Education Liaison – Lee
2. Chamber of Commerce – Donovan
3. M.C. Water Resources – Connolly
4. Shore Community Alliance- Donovan
5. Manasquan Library Liaison- Grasso

6. Shared Services – Donovan, Grasso, Lee

Council Member Donovan made a motion to approve the appointments, seconded by Council Member Lucas. Roll Call was taken and the motion carried unanimously.

POSITION	TERM	NAME
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The Mayor presented the following appointments for approval:

**Board of Appeals:**

Citizen Rep:	2 yr.	Edward Hyer(unexpired)
Chairperson/Council Rep:	1 yr	Owen McCarthy
Council Representative:	1 yr	Don Grasso
Attorney:	1 yr	James Carton IV

Council Member Connolly made a motion to approve the appointments, seconded by Council Member Lee. Roll Call was taken and the motion carried unanimously.

The Mayor presented the following appointments for approval:

**Board of Health:**

Member:	4 yr	Jane Donovan
Member:	4 yr	Donna Trengrove
Member:	4 yr	Nancy Acciavatti
Liaison:	1 yr	Barbara Ilaria

Council Member Lucas made a motion to approve the appointments, seconded by Council Member McCarthy. Roll Call was taken and the motion carried unanimously.

The Mayor presented the following appointments for approval:

**Cable Advisory:**

Member:	3 yr	Lee Weisert
Director of Television Services	1 yr.	Lee Weisert
Council Liaison:	1 yr	Pat Connolly

Council Member Donovan made a motion to approve the appointments, seconded by Council Member Lee. Roll Call was taken and the motion carried unanimously.

The Mayor presented the following appointment for approval:

<b>Construction Official:</b>	1 yr	Albert Ratz
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Council Member Lucas made a motion to approve the appointment, seconded by Council Member Donovan. Roll Call was taken and the motion carried unanimously.

The Mayor announced the following appointments:

**Emergency Management Council:**

Secretary:	1 yr	Chris White
Mayor:	1 yr	George Dempsey
Chair DPW Committee	1yr	Edward Donovan
Police Chief:	1 yr	Daniel Scimeca
Municipal Clerk:	1 yr	Barbara Ilaria
Fire Dept. Liaison:	1 yr	Jeffrey Ely
DPW Superintendent:	1 yr	Thomas Nicaastro
First Aid Capitan:	1 yr	Mike Lauber
Shelter Care Coordinator:	1 yr	Rev. Reggie Albert

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Construction Official:	1 yr	Albert Ratz
Borough Engineer	1 yr	T & M Associates
Community Representative:	1 yr	RyanDullea
Community Representative:	1 yr	Jerry Hall
Community Representative:	1 yr	Richard Read
Mayor's Representative:	1 yr	Michael Mangan
Council Liaison:	1 yr	Jeff Lee

The Mayor announced the following appointment:

**Environmental Commission:**

Council Liaison:	1 yr	Ed Donovan
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The Mayor announced the following appointment:

<b>Historian:</b>	1 yr	Mary Ware
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The Mayor presented the following appointment for approval:

<b>Official Tax Searcher:</b>	1 yr	Valerie Bills
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Council Member Connolly made a motion to approve the appointment, seconded by Council Member McCarthy. Roll Call was taken and the motion carried unanimously.

The Mayor announced the following appointments:

**Open Space Committee:**

Member/Council Representative:	3 yr	Joseph Lucas
Member:	3 yr	William Giunco
Member:	3 yr	Martin McHugh

The Mayor announced the following appointments:

**Planning Board:**

CL IV:	2 yr	Joan Harriman
CL IV:	4 yr	John Muly
CLIV, Environmental Liaison	3 yr	Michael Sinneck(unexpired)
CL III Council Liaison:	1 yr	Owen McCarthy
CL I:	1 yr	George Dempsey
CL II:	1 yr	Patrick Callahan
Alternate #1:	2 yr	Leonard Sullivan
Alternate #2:	2 yr	David Armstrong
Alternate #3:	2 yr	Jay Price
Mayor's Des. C1	1 yr	
Secretary:	1 yr	Mary Salerno
Engineer:	1 yr	T & M Associates

The Mayor asked for approval of the following Planning Board appointment:

CL III Council Liaison	1 yr	Owen McCarthy
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Council Member Donovan made a motion to approve the appointment, seconded by Council Member Lucas. Roll Call was taken and the motion carried unanimously.

The Mayor announced the following appointments:

**Recreation Commission:**

Member(treasurer)	5 yr	Ronald Gaffney
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Member:	5 yr	William McManus(unexpired)
Member:	5 yr	Mark Liggitt(unexpired)
Alternate #1:	4 yr	Patricia Brown(unexpired)
Alternate #2:	5 yr	Carmen Triggiano, Jr.
Mayor's Representative:	1 yr	
Council Liaison	1 yr	Edward Donovan

The Mayor announced the following appointments:

**Shade Tree Commission:**

Secretary:	1 yr	Sharon Bogie
Council Liaison	1 yr	Jeff Lee
Mayor's Designate:	1 yr	John Ryan

The Mayor announced the following appointments:

**Tourism Commission:**

Member/Chairman:	3 yr	Ray Summers
Member:	3 yr	Doug Paviluk
Member:	3 yr	George Dempsey
Member:	3 yr	Raymond Shinn
Member:	3 yr	Walter Wall
Member:	3 yr	Suzanne Brown
Member:	3 yr	Claudette Scoras
Member:	3 yr	Michael Mangan
Member:	1 yr	Joseph Bossone (unexpired)
Council Liaison:	1 yr	Owen McCarthy

The Mayor presented the following appointment for approval:

<b>Water/Sewer Collector:</b>	1 yr	Valerie Bills
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Council Member Lucas made a motion to approve the appointment, seconded by Council Member Lee. Roll Call was taken and the motion carried unanimously.

The Mayor presented the following appointments for approval:

**Fire Police** – List on file in the Clerk's Office.

Council Member Lee made a motion to approve the appointments, seconded by Council Member McCarthy. Roll Call was taken and the motion carried unanimously.

**Tax Collector and Treasurer's Report**

Council Member Connolly made a motion to accept the reports, seconded by Council Member Grasso. Roll Call was taken and the motion carried unanimously.

**CONSENT AGENDA:**

The Borough Clerk advised that the Shore Community Alliance Member Appointments should be held for approval at a later date.

Mr. DeIorio advised that the Professional Appointments Resolution will not include the Public Defender. He also stated that the Public Defender is on a carry over until a replacement or his re-appointment will occur.

**RESOLUTION  
23-2011**

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**BE IT RESOLVED** by the Borough Council of the Borough of Manasquan, County of Monmouth, State of New Jersey, amend transfer resolution 197-2010 to read as follows:

**CURRENT FUND**

TO:

Emergency Management O/E	2,000.00
Accumulated Sick Leave	40,000.00
Snow Removal Brielle/Sea Girt	7,000.00
Municipal Prosecutor O/E	5,600.00
Vehicle Repairs	9,000.00
Parks and Playgrounds S/W	6,000.00
Utilities	18,000.00
Unemployment Insurance	10,000.00
Tactical Teams Fee (SWAT)	50.00
	<u>\$97,650.00</u>

FROM:

Mayor and Council OE	\$ 2,000.00
Clerk S/W	5,000.00
Clerk OE	5,000.00
Finance Administration S/W	7,500.00
Audit	1,000.00
Tax Collector OE	3,000.00
Code Enforcement S/W	10,000.00
Uniform Construction Code	7,200.00
Uniform Construction Code O/E	1,800.00
Streets and Roads S/W	10,000.00
Buildings and Grounds OE	3,000.00
Board of Health	500.00
Parks and Playgrounds OE	2,000.00
Waterways	1,000.00
Employee Group Insurance	29,150.00
Landfill Costs	9,500.00
	<u>\$97,650.00</u>

**RESOLUTION  
27-2011**

**RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH  
OF MANASQUAN, COUNTY OF MONMOUTH, NEW JERSEY,  
APPOINTING TAX ASSESSOR AS AGENT IN TAX APPEALS**

**WHEREAS**, from time to time the Tax Assessor discovers an error in calculation, transposition, measurement or typographical errors in the tax assessments on the tax list after the time the County Board of Taxation has certified the rates for the tax year; and

**WHEREAS**, the Mayor and Council of the Taxing District of Manasquan is desirous that every taxpayer pays his fair share of taxes; and

**WHEREAS**, if the above discovered errors are not corrected, the taxpayers affected would not be paying their fair share of taxes; and

**WHEREAS**, the method for correcting such errors is to file a Petition of Appeal for the current tax year with the Monmouth County Board of Taxation.

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**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Manasquan that Robyn Palughi, Tax Assessor, is hereby authorized to act as the Agent for the Taxing District and file a Petition of Appeal or Appeals for the year 2011 with the Monmouth County Board of taxation, to correct such assessments to the proper value and that a copy of any Petition of Appeal with the Monmouth County Board of Taxation under this Resolution is to be filed with the Borough Clerk.

**BE IT FURTHER RESOLVED**, that Robyn Palughi, Tax Assessor, is hereby authorized to execute stipulation of settlement of any tax appeal filed by the Taxing District or by a taxpayer for the tax year 2011; and

**BE IT FURTHER RESOLVED**, that a certified copy of this Resolution be forwarded to the Monmouth County Board of taxation with such Petition of Appeal.

**RESOLUTION**  
25-2011

**WHEREAS**, N.J.S.A. 40A:11-5 (1) (a) (1) permits the governing body to award a professional services contract without publicly advertising for bids and bidding therefor; and

**WHEREAS**, the borough council has determined that there is a need for professional services during the 2011 calendar year; and

**WHEREAS**, the borough council has determined to provide the need to acquire these professional services as a non-fair and open contract pursuant to the provisions of N. J. S. A. 19:44A-20.5; and

**WHEREAS**, the chief financial officer of the municipality has determined and certified in writing that the value of these professional services will exceed \$21,000; and

**WHEREAS**, the anticipated term of these contracts are one year (January 1, 2011 to December 31, 2011); and

**WHEREAS**, the following professional services providers have or will submit contracts to be reviewed for completeness and approval by the borough attorney indicating that they will provide their services for the agreed upon rate (s) that are contained in their contracts that are on file in the Clerk's Office.

Allen Shechter, CPA - Borough Auditor

Charles Rooney, T & M Associates - Borough Engineer

McManimon & Scotland, LLC - Borough Bond Counsel

Ronald Sage - Borough Prosecutor  
James Carton IV - Alternate Borough Prosecutors

Jeffrey R. Surenian - Special Counsel (COAH)

Dennis Cantoli - Conflict Counsel

James Hozapfel - Labor Counsel

These appointments are made pursuant to N. J. S. 2B:12-1 et seq.

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**WHEREAS**, a certification as to the availability of funds executed by the chief financial officer is attached to this resolution pursuant to the provisions of N. J. A. C. 5:30-5-4;

**NOW, THEREFORE, BE IT RESOLVED**, by the Borough Council of the Borough of Manasquan, Monmouth County, New Jersey, on this 18<sup>th</sup> day of January, 2011 as follows:

1. The Business Disclosure Entity Certification of these professionals and the Determination of Value Certification of the chief financial officer shall be filed in the office of the municipal clerk, and shall be available for public inspection.
2. The Mayor and Municipal Clerk are hereby authorized and directed to execute a contract with these professionals to provide professional services to the municipality for the 2011 contract year at the agreed upon rate that is contained in the contract/proposal on file in the Clerk's Office.
3. A notice stating the nature, duration, service and the amount of this contract shall be published in the Coast Star and this resolution shall be maintained on file and available for the public inspection in the office of the municipal clerk.
4. A certified copy of this resolution shall be sent to the professionals included in this resolution.

**RESOLUTION  
26-2011**

**BE IT RESOLVED** by the Borough Council of the Borough of Manasquan, County of Monmouth, State of New Jersey that the Mayor and Municipal Clerk be authorized to sign a one year contract with United Cleaning contractors Inc. in accordance with specifications and attached price list commencing January 1, 2011 through December 31, 2011.

**RESOLUTION  
28-2011**

**BE IT RESOLVED** by the Mayor and Council of the Borough of Manasquan, in the County of Monmouth, that the retirement of Barbara Estlow from the position of Clerk Typist in the Code Department effective May 27, 2011 be and is hereby accepted.

**RESOLUTION  
29-2011**

**RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH  
OF MANASQUAN, COUNTY OF MONMOUTH, NEW JERSEY,  
APPOINTING A PAYROLL CLERK/ACCOUNT CLERK**

**WHEREAS**, the Borough of Manasquan ("Manasquan") is in need of a Payroll Clerk/Account Clerk; and

**WHEREAS**, the position of Payroll Clerk/Account Clerk was advertised and numerous applications for the position were received; and

**WHEREAS**, several prospective candidates were interviewed for this position.

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**WHEREAS**, the Borough Council wishes to hire Ms. Courtney R. Hogan for the position of Payroll Clerk/Account Clerk.

**NOW, THEREFORE BE IT RESOLVED** on the 18<sup>th</sup> day of January, 2011, by the Borough Council of the Borough of Manasquan, in the County of Monmouth and State of New Jersey as follows:

1. Ms. Courtney R. Hogan is appointed to the position of Payroll Clerk/Account Clerk for the Borough of Manasquan.
2. The effective date of this appointment is January 18, 2011.
3. The annual salary for this position is \$25,000.00.
3. A certified copy of this resolution shall be sent to:

Ms. Courtney R. Hogan  
96 Wyckoff Avenue  
Manasquan NJ

Council Member Donovan made a motion to approve the Consent Agenda as changed, seconded by Council Member Lucas. Roll Call was taken and the motion carried unanimously.

#### **ORDINANCES:**

The Borough Attorney read the title of ordinance 2077-11 for the second reading and final hearing.

**ORDINANCE AMENDING SECTIONS 22-2 (BASE WATER AND SEWER SERVICE RATE) AND 22-3 (WATER AND SEWER USAGE CHARGE) OF CHAPTER 22, WATER AND SEWER UTILITY OF THE REVISED GENERAL ORDINANCES IN ORDER TO INCREASE WATER AND SEWER RATES AND USAGE CHARGES IN THE BOROUGH OF MANASQUAN, COUNTY OF MONMOUTH, STATE OF NEW JERSEY**

Mayor Dempsey asked if there were any questions or comments regarding ordinance #2077-11.

There were no questions or comments.

Council Member Donovan made a motion to pass and publish ordinance 2077-11 according to law, seconded by Council Member McCarthy. Motion carried by the following vote, "Yes" Council Member Donovan, Lee, Lucas, "No" Council Member Connolly, Grasso, "Abstain", Council Member McCarthy.

#### **COMMITTEE REPORTS**

Law & Code Committee – Council Member Grasso had no further report.

Administration & Finance Committee – Council Member Connolly had no further report.

Public Safety & Recycling Committee – Council Member Lucas had no further report.

Beach Committee – Council Member Lee commended the Finance Committee for their selection for the payroll clerk who happens to be a Manasquan Resident.

Public Property & Parks Committee – Council Member McCarthy wished everyone in attendance his best wishes for a healthy and happy new year. He made a statement with regards to his journey to the Council seat that he now occupies. He also stated that he will serve the resident's and the Borough to his full ability.

Public Works Committee – Council Member Donovan had no further report.



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## AUDIENCE PARTICIPATION

Council Member Connolly made a motion to open the meeting up to the public, seconded by Council Member Lee. Motion carried unanimously.

There was no audience participation.

Council Member Connolly made a motion to close the public session, seconded by Council Member Donovan. Motion carried unanimously.

Mr. DeIorio went over the Budget process and the next few budget meeting dates. He advised that he has scheduled the major departments for budget reviews and the smaller departments he will work with the chairperson of that department and bring the numbers to the Council.

Council Member Donovan made a motion to close the regular meeting at 9:37 p.m., seconded by Council Member McCarthy. Motion carried unanimously.

Respectfully submitted,



Barbara Ilaria  
Municipal Clerk

DATE APPROVED 7-11-11